

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
November 27, 2023**

Mayor Miers opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and the following notice was read in compliance with the Open Public Meetings Act: In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Express Times NJ Zone and/or the Express-Times or Newark Star Ledger, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ and on the municipal website, belviderenj.net. Teresa Yeisley advised that Resolution No. R2023x94 would be added to the agenda.

Roll Call:

Present - Mayor Miers, Councilwoman Koop, Councilman Matlock, Councilwoman Napolitani, Councilman Roth

Absent - Councilman Mitchell, Councilman Zmigrodski

Adoption of Minutes:

A motion was made by Councilman Roth, seconded by Councilwoman Koop and carried to adopt the November 13, 2023 regular and executive meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman Roth - NPP has been notified that there will be another round for this grant in 2024. A new gazebo has been purchased for Riverside Park and will be installed before Winterfest. Waiting for a date from Denville Line Painting for the crosswalk work on Greenwich Street. Pleased with the number of Town groups that are involved in the Tree Lighting. Over 700 people visited the CCB in October.

Councilwoman Koop - looking at needs for the 2024 budget.

Councilwoman Napolitani - Patrolman Tutka has tendered his resignation and will be leaving Belvidere on December 10th. Chief Scott and Sergeant Mariani interviewed some candidates at the Morris County Police Academy but we may have to put someone through academy to replace Patrolman Tutka.

Councilman Matlock - no report at this time.

Correspondence:

Resignation letter form Patrolman Tutka.

Previous Business:

Kevin Benbrook advised that the Belvidere Urban Renewal redevelopment agreement is ready for execution.

New Business:

There was no new business addressed at this time.

Resolutions:

A motion was made by Councilwoman Napolitani, seconded by Councilman Roth and carried to adopt Resolution No. R2023x94.

RESOLUTION NO. R2023x94

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION SUPPORTING THE INCLUSION OF THE PEQUEST RIVER, THE POPHANDUSING BROOK AND THE BELVIDERE SEGMENT OF THE DELAWARE RIVER IN THE LOWER DELAWARE NATIONAL WILD AND SCENIC RIVER DESIGNATION

WHEREAS, up until the mid-19th-Century, the business activity of Belvidere depended in great measure on the presence of the Delaware River, which offered possibilities of power and communication and the Pequest River which furnished power to run nearly all of Belvidere's industries. For many years Belvidere was the shipping point to Philadelphia and Trenton for Oxford Furnace. The iron was carried on the famous Durham boats. These were flat-bottomed affairs with a prow at either end. They floated with their load downstream and were poled all the way back, lightly loaded, largely with sugar and molasses; and

WHEREAS, today Belvidere's westerly boundary is the Delaware River with a boat launch managed by the New Jersey Fish and Wildlife at the confluence of the Pequest River which runs through Belvidere's Historic District; and

WHEREAS, the Town of Belvidere remains committed to protecting the historic, natural and environmental resources including floodplains, wetlands, steep slopes, aquifers and areas suitable for public and quasi-public activities; and

WHEREAS, Belvidere's residents, particularly in the historic waterfront area, have long-relied upon the beauty and resilience of the Delaware River not only As a draw doe tourism, but also as a source of pride which the community id unified around; the environmental and economic well-being of the Town is directly related to the health of the Delaware River; and

WHEREAS, the National Wild and Scenic Rivers System was created by Congress in 1968 to preserve certain rivers with outstanding natural, cultural and recreational values in a free-flowing condition for the enjoyment of present and future generations, and rivers may be designated by Congress or, if certain requirements are met, the Secretary of the Interior, and each river is administered by either a federal or state agency; and

WHEREAS, Congress has specified that some designations are not just Wild and Scenic Rivers, but a Partnership Wild and Scenic River (PWSR), meaning that the river is managed collaboratively by the National Park System and a local entity, whereby PWSR communities protect and enhance their river and its resources through developing and implementing a management plan tailored to the community's and the river's needs and specifics:

- No federal ownership or management (and federal ownership is not authorized in legislation or recommended in the management plan)
- Administration of the designation and implementation of the management plan id accomplished through a broadly participatory "council" or "committee" organized and convened for each river specifically for this purpose.
- Land use continues to be governed by local communities and states through existing laws, regulations and authorities.
- The plan is written and implemented through a broadly participatory process involving guidance from locally based representatives.
- The plan is locally developed with NPS assistance and is locally approved prior to federal designation (as a part of the feasibility study).
- The plan, locally approved and endorsed by relevant state and federal authorities, forms the basis of the designation and guides subsequent management.
- The costs and responsibilities associated with managing and protecting river resources are shared among all of the partners - local, state, federal and non-governmental.
- Landowner participation and volunteerism is an essential element of the partnership and viewed as the backbone of success.

WHEREAS, On January 3, 1992, the 106th Congress passed Public Law H.R. 6179-2 authorizing the preparation of a Lower Delaware Wild and Scenic River study on cooperation and consultation with appropriate Federal, State, regional and local agencies, including, but not

limited to, the Pennsylvania Department of Environmental Resources, the New Jersey Department of Environmental Resources, the New Jersey Department of Environmental Protection and Energy, the Delaware and Lehigh Navigation Canal National Heritage Corridor Commission, and the Delaware and Raritan Canal Commission; and

WHEREAS, in 1999, upon completion of the study, Belvidere chose to not participate as a Lower Delaware Wild and Scenic River municipality, partially due to community concerns over potential government overreach and potential threats to landowner's rights; and

WHEREAS, on November 1, 2000, the 106th Congress passed Public Law 106-418 - The Lower Delaware River Wild and Scenic Rivers Act designating 25 scenic miles and 42 recreational miles of the Delaware River under the Wild and Scenic Rivers Act, as a "Partnership" Wild and Scenic River; and

WHEREAS, like several Delaware River segments that did not have local municipal support, Belvidere's segment remained eligible for designation should Belvidere later adopt a resolution of support and other Lower Delaware River Wild and Scenic Rivers Act requirements are met; and

WHEREAS, on October 22, 2022 having reviewed new information and recognizing previous government overreach and other concerns had not come to fruition for municipalities that had joined in 1999, the Governing Body of the Town of Belvidere adopted Resolution No. R2022x84 whereby Belvidere became a Lower Delaware Wild and Scenic River municipality, agreeing to enter into a Memorandum of Understanding (MOU) to participate in the cooperative implementation of the Lower Delaware River and its tributaries to be designated by the United State Congress as a component of the National Wild and Scenic Rivers System; and

WHEREAS, the Town of Belvidere continues to support the principles of the Lower Delaware Wild and Scenic River MOU which includes:

1. Agree to cooperatively implement the Lower Delaware River Management Plan ("Plan"), along with other signatories to this agreement to conserve the special natural resources of the area and enhance the cultural, recreational and economic opportunities of the watershed.
2. Agree to appoint one representative to participate on the Lower Delaware River Management Committee ("Committee").
3. May, at their discretion, contribute staff, in-kind or financial assistance to the Committee.
4. Agree to take into consideration the objectives and recommendations of the Plan in land use or water use decision-making which could impact the health and conservation of the resources of the Lower Delaware River and its tributaries.
5. Agree to work together through the Committee to address funding and regulatory issues related to implementation of the natural wild and scenic river designation and the Plan.
6. Agree to enforce all applicable land use, water use or zoning regulations in such a manner to ensure that the Lower Delaware River and its tributaries are protected and that actions are consistent with the goals, objectives and recommendations of the Plan.
7. Agree to work with the Committee as appropriate to identify and address issues related to the management of the Lower Delaware River and its tributaries as a national wild and scenic river, as detailed in the Plan.
8. Agree to control land and waters under their jurisdiction within the Plan.
9. Agree that the Management Committee can write letters of support and take other actions to help members receive grants for projects that will further the goals and objectives of the Plan; and

WHEREAS, in 2023, to further enhance and protect the Outstanding Remarkable Values ("OVRs") of the Lower Delaware Wild and Scenic River, the Management Council, in partnership with the National Park Service and the Delaware River Greenway Partnership, established a Tributary Study Committee evaluating all non-designated river segments and tributaries to the Lower Delaware to identify those eligible and suitable to be included in its existing designation,

Eligibility

In order for a river to be eligible for designation, it must adhere to two main requirements:

- Free flowing: The rivers or section of rivers and tributaries must be free flowing, not just at the time of designation but with the stipulation that no further impediments will be made.
- OVRs: one of the goals of designation and management is to protect river values specific to that watershed. With this, designation requires the protection of an OVR, which is a river-related value that is rare, unique or an exemplary feature at a regional or national scale. OVRs may include scenic, recreational, geological, fish and wildlife, historic, cultural or other similar values

Suitability

In addition to determining eligibility, one of the purposes of the study is to determine if the river is also suitable for designation:

- Should the river's values (free-flow, water quality and ORVs) be protected or are there other conflicting uses?
- Will the river's values be protected through designation? Is it the best method for protecting the river corridor?
- Is there a demonstrated commitment to protect the river by any non-federal entities that may be partially responsible for implementing protective management? and;

WHEREAS, the Lower Delaware Tributary Study Committee has identified the following segments as eligible to be studied for inclusion with the following potential ORV to be vetted by the National Park System.

- Pequest River
 - ☐ Recreational: Kayaking & Fishing
 - ☐ Historic/Cultural:
 - Race Street Mill 1990 identified as eligible to be listed in the National Register of Historic Places
 - Belvidere Historic District with 45 properties listed in 1980 and expanded in 2016 in the National Register of Historic Places
 - ☐ Natural: Water Quality
 - NJDEP noted in 2005 as trout producing waters
 - NJDEP noted in 2020 FW2 TM1
- Pophandusing Brook
 - ☐ Recreation - Fishing
 - ☐ Natural:
 - 2005 Trout Maintenance Water
 - 2020 FW2 TM1
- Belvidere Delaware River Segment
 - ☐ Recreational: Fishing & Boating
 - NJF&W Boat Launch
 - ☐ Historic/Cutural:
 - The Belvidere-Riverton Bridge named eligible to be studied in 2010 for the National Register of Historic Places
 - ☐ Natural:
 - Wild Trout Producing Waters

WHEREAS, the Town of Belvidere has active Environmental and Shade Tree Commissions that meet the fourth Thursday of every month at 7:00 PM at Belvidere Town Hall, 691 Water St., Belvidere.

Belvidere Environmental Commission Mission Statement as represented on the municipal website:

1. Review and provide comment to land development applications to ensure compliance with local, state and federal environmental regulations and identify any environmental concerns relative to proposed land development;
2. Review and provide comments to any proposed property use changes relative to potential environmental concerns, including property use restrictions, to ensure protection of human health and the environment;

3. Track and follow up on approved property development plans to ensure adherence to plan approvals relative to environmental concerns and interact with the Town Council, Planning Board and Municipal Engineer, as necessary, to ensure compliance with any matters relative to environmental concerns to ensure protection of human health and the environment.

WHEREAS, the Belvidere Environmental Commission has thoroughly reviewed the proposal to include Belvidere’s river segment and tributaries, and hereby recommends to the Belvidere Town Council that this Resolution be adopted. It is noted that should the study conclude with the recommendation to include Belvidere’s segments and tributaries in the Lower Delaware Wild and Scenic River designation, the Belvidere Town Council will be provided with the option for final endorsement. Furthermore, as a member of the Lower Delaware Wild and Scenic River Management Council, Belvidere will be invited to actively participate in the update of the Lower Delaware Wild and Scenic River Management Plan to incorporate protections for the approved new segments and tributaries.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Belvidere hereby supports including the Pequest River, the Pophandusing Brook and the Belvidere segment of the Delaware River in the Lower Delaware National Wild and Scenic River designation.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere, Warren County, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a public meeting held on November 27, 2023.

Ordinances:
ORDINANCE NO. 2023x11
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
AN ORDINANCE TO AMEND CHAPTER 485 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED “VEHICLES AND TRAFFIC”

This ordinance shall be subject to the approval by consenting resolution of the County of Warren. The Town of Belvidere shall thereafter be responsible for the implementation and enforcement of the weight limits established herein, including the installation, placement and maintenance of signage conforming with the Manual on Uniform Traffic Control Devices.

BE IT ORDAINED be the Belvidere Town Council that Chapter 485 of the Code of the Town of Belvidere is hereby amended to add the following to § 485-38, Schedule V as follows:

ARTICLE XIV

§ 485-38

Schedule V: Vehicles Over Designated Weight Limits Excluded

Name of Street	Weight (Tons-GVWR)	Limit
Greenwich Street (County Route 620)	8	Between Belvidere/White Township municipal boundary and Water Street
Water Street (County Rout 620)	8	Between Market Street and Belvidere/White Township municipal boundary
Water Street Spur	8	Between Market Street and railroad trestle

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on October 23, 2023 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on November 27, 2023 at Belvidere Town Hall, 691 Water St., Belvidere at 7:00 PM or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water St., Belvidere, Monday through Friday from 9:00 AM to 4:30 PM.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

NOTICE

Be advised that the foregoing ordinance was duly adopted by the Belvidere Town Council at a regular meeting held on November 27, 2023.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Roth, seconded by Councilwoman Koop and carried to open the public hearing for Ordinance No. O2023x11.

The ordinance brought no public comment.

A motion was made by Councilman Roth and seconded by Councilwoman Napolitani to close the public hearing and adopt Ordinance No. O2023x11.

Roll call:

Ayes - Councilwoman Koop, Councilman Matlock, Councilwoman Napolitani, Councilman Roth, Mayor Miers

Nays - None

Abstentions - None

Recusal - None

Absent - Councilman Mitchell, Councilman Zmigrodski

ORDINANCE NO. O2023x12

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE APPROPRIATING THE SUM OF NOT MOR THAN \$25,000 FROM THE CAPITAL FUND IN CONNECTION WITH THE COSTS ATTRIBUTABLE TO THE MANSFIELD STREET REAR BRIDGE DEMOLITION

WHEREAS, the Council of the Town of Belvidere wishes to appropriate the sum up to \$25,000 from the Capital Improvement Fund in conjunction with the demolition of the Mansfield Street Rear bridge demolition;

NOW, THEREFORE, BE IT ORDAINED by the Belvidere Town Council that:

1. There is hereby appropriated the sum of up to \$25,000 form the General Capital-Capital Improvement Fund for the aforementioned purpose.
2. There is no debt authorized by this ordinance.
3. This ordinance shall take effect upon passage following a public hearing to be conducted thereon and publication of notice of final passage with the requirements of the law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on October 23, 2023 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on November 27, 2023 at Belvidere Town Hall, 691 Water St., Belvidere at 7:00 PM or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water

St., Belvidere, Monday through Friday from 9:00 AM to 4:30 PM.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

NOTICE

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Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Matlock, seconded by Councilwoman Koop and carried to open the public hearing for Ordinance No. O2023x12.

The ordinance brought no public comment.

A motion was made by Councilwoman Napolitani and seconded by Councilwoman Koop to close the public hearing and adopt Ordinance No. O2023x12.

Roll call:

Ayes - Councilwoman Koop, Councilman Matlock, Councilwoman Napolitani, Councilman Roth, Mayor Miers

Nays - None

Abstentions - None

Recusal - None

Absent - Councilman Mitchell, Councilman Zmigrodski

ORDINANCE NO. O2023x13

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE APPROPRIATING THE SUM OF NOT MORE THAN \$20,000 FROM THE CAPITAL FUND IN CONNECTION WITH THE COSTS ATTRIBUTABLE TO THE PURCHASE OF AN ALCOTEST 9510 SYSTEM

WHEREAS, the Council of the Town of Belvidere wishes to appropriate the sum up to \$20,000 from the Capital Improvement Fund in conjunction with the purchase of an Alcotest 9510 System;

NOW, THEREFORE, BE IT ORDAINED by the Belvidere Town Council that:

1. There is hereby appropriated the sum of up to \$20,000 from the General Capital-Capital Improvement Fund for the aforementioned purpose.
2. There is no debt authorized by this ordinance.
3. This ordinance shall take effect upon passage following a public hearing to be conducted thereon and publication of notice of final passage with the requirements of the law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on October 23, 2023 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on November 27, 2023 at Belvidere Town Hall, 691 Water St., Belvidere at 7:00 PM or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water St., Belvidere, Monday through Friday from 9:00 AM to 4:30 PM.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

NOTICE

Be advised that the foregoing ordinance was duly adopted by the Belvidere Town Council at a regular meeting held on November 27, 2023.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Roth, seconded by Councilwoman Koop and carried to open the public hearing for Ordinance No. O2023x13.

The ordinance brought no public comment.

A motion was made by Councilwoman Napolitani and seconded by Councilman Roth to close the public hearing and adopt Ordinance No. O2023x13.

Roll call:

Ayes - Councilwoman Koop, Councilman Matlock, Councilwoman Napolitani, Councilman Roth, Mayor Miers

Nays - None

Abstentions - None

Recusal - None

Absent - Councilman Mitchell, Councilman Zmigrodski

Appointments:

No appointments were made at this time.

Authorization to Pay Purchase Orders:

A motion was made by Councilwoman Koop, seconded by Councilwoman Napolitani and carried authorizing the payment of the purchase orders, as submitted, in the amount of \$86,104.75.

Public Comment:

Linda Stettler - thank you for the rear Spring Street sign.

Executive Session:

There was no need for an executive session at this time.

A motion was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 7:26 PM.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator